

EXHIBIT 6

ADVERTISEMENT

City Limits | (<http://citylimits.org/2015/06/29/op-ed-fight-over-nyc-school-sports-is-about-more-than-playing-time/>)

Op-Ed: Fight Over NYC School Sports is About More Than Playing Time

By Josmar Trujillo | June 29, 2015



Jesi Kelley

Fort Hamilton High vs. Lincoln High. School reform efforts during the Bloomberg years targeted many large high schools for breakup, but that has reduced access to sports for thousands of students.

Mayor Bill de Blasio's schools chancellor sat stone-faced as high school students interrupted her testimony in front of the City Council last March. Carmen Fariña watched as teenagers unfurled a banner with the words "Civil Rights Matter" from the Council chamber's balcony. Risking arrest to make their point, "Separate and unequal" was how the students described the Public School Athletic League, the nation's largest and longest-running high school sports system.

The disruption at the City Council was one of the most visible actions in a long campaign organized by students from International Community High School in the Bronx and their since-suspended dean. But as the group's actions have become more focused, Fariña and the de Blasio administration have only dug their heels in deeper. Fariña's Department of Education has also, according to the students, tried to undermine their campaign by intimidating the group's members and turning their principal, once a supporter, against them.

Fatou Boye is a 17-year-old student at International Community HS. The Senegalese immigrant lives in the Bronx and has been a loud and persistent member of the NYC Let 'Em Play group. We met at a rally held outside the gates of City Hall where she and a few dozen other students have been holding weekly protests every Wednesday. Her words echo down Broadway as she appeals to the de Blasio administration to make things right. She says the PSAL system is "crazy and unfair." She points out that 17,000 students of color go to a public school with no sports. She reads off statistics and percentages painting a picture of discrimination. She finishes by belting out the mantra of the group, "Civil Rights Matter!"

"I have not done anything like this in my life" she tells me. "It's my first time to test what it means to be a civil rights fighter." She points to Nelson Mandela, the iconic South African civil rights leader, as an inspiration. Many of the students from International, like Fatou's classmates handing out fliers at the City Hall protest, are recent immigrants from Africa. Fatou references Martin Luther King Jr.'s marches in the racist south, including the lesser known "Children's March", where Birmingham kids left school to march and were arrested by Bull Connor's police force. She also says she draws inspiration from

her former dean and soccer coach, David Garcia-Rosen. “I was inspired by Mr. David who had said ‘I can’t sit on my chair doing my job well [if] my students rights are being violated.’ Those words touched my heart a lot. As a student having a person back you up, it’s great, it feels phenomenal. And Ms. Maria and Mr. Ralph who sacrificed their jobs to help us fight for our rights.”

Ms. Maria and Mr. Ralph are Maria Damato and Ralph Figaro, both teachers at International. Damato was suspended, like Garcia-Rosen, but has since returned to the school. She is still, however, under investigation and has been restricted from participating in, supporting and even talking about the campaign with the students. Figaro was an assistant coordinator and had been filming the campaign for an upcoming documentary. Two days after the City Council action he was fired. Figaro says the school’s principal “had the students’ backs until pressure came down from the DOE brass.”

The students themselves say they were targeted with intimidation tactics. “Many students were told if they protest, that may affect their family’s immigration status,” Fatou says. “Some were told if they were doing protest they can’t join any school sports club. If they do they will not be on the team. We were also told we can get suspended by protesting. There were a lot of letters sent home to families telling the parents how dangerous it is to protest and there were a lot of phone calls too.”

The pressure was apparently channeled through the office of Berena Cabarcas, International’s principal since it’s opening in 2006. According to Garcia-Rosen, Cabarcas was a strong supporter of early efforts to bring sports to the school. When the PSAL formally rejected the school’s application for a soccer team in 2011, it was Cabarcas and seven other small school principals in the Bronx who paid for the refs and coaches for the burgeoning SSAL. When the students did direct action trainings, it was supported by the principal, according to Garcia-Rosen.

The day before the March protest at the City Council, however, she sent memos out to students and staff warning them to stay away from the protest. In emails shared by Garcia-Rosen, it was clear that Cabarcas took the company line in spite of her personal views, which up to that point had been nothing but supportive of the students. It’s not clear that Fariña, a former principal herself, had any personal role in pressuring the school’s administration, but the campaign obviously hit a nerve at Tweed.

Garcia-Rosen, now spending his days in New York City’s famous “rubber rooms”, is facing department charges for “inciting” students, conflict of interest (using his position to “engage in private political activity”), and using student images on NYC Let ‘Em Play’s website and in its social media content. So far his union, the UFT, has refrained from jumping behind the group’s efforts.

At a Panel for Education Policy meeting on May 20th, DOE official Eric Goldstein was greeted with boos from an audience that includes NYC Let ‘Em Play students. Goldstein defended the inability of the PSAL to provide opportunities to students from small schools, suggesting that “sometimes progress in certain areas maybe isn’t as quick as we want.” Chancellor Fariña commended Goldstein and Donald Douglas, the titular head of the PSAL, for their work and but conceded that getting sports to smaller schools has been elusive.

After DOE officials speak, the public was allowed to testify. Garcia-Rosen was the first to the mic and wasted no time in going right after Fariña: “I was a teacher and dean for 17 years with a perfect record until I was suspended by you, chancellor Farina, for protesting for the civil rights of black and Latino students in New York city.” Pointing to a frustration with PSAL leadership, Garcia-Rosen explained the turn to direct action: “You refused to meet with us and left us with Bloomberg-era leaders... You left us no choice but to use civil disobedience and protest to fight for equality.”

Fatou was next to speak. She directed her comments at Goldstein and Douglas: “Am I going to graduate high school without being able to play high school sports?” She spoke about the urgency of the moment, in a rebuke to Goldstein’s comments. “I come from one of the poorest countries in the world—and we were able to play school sports there.” More NYC Let ‘Em Play members testified. The number of student protesters has dropped noticeably, from over 100 at city hall in March to a few dozen now. The warnings had their desired effect.

Interview requests to Goldstein and Douglas were returned by Jason Fink, the DOE’s Press Secretary. In a statement, Fink says that the new SSAL, now under the PSAL, has 109 new teams this year “catering to the unique needs of small schools.” He suggests the PSAL has improved on Garcia-Rosen’s original SSAL, pointing out that the new lineup includes basketball, which the “old SSAL” didn’t have.

At the heart of NYC Let 'Em Play's fight with the city is the iron-jawed consistency at the DOE, even now under a self-described progressive mayor and City Council. The group has held pickets outside the East Harlem office of Speaker Melissa Mark-Viverito, who has shied away from the campaign. While the group stressed that they held multiple trainings in King's principles of nonviolence that would minimize the likelihood of arrest (no students have been arrested to date), Garcia-Rosen points out the hypocrisy of a city that celebrates the civil rights movement of yesterday but discourages student-led protests today:

"With the encouragement of the Principal and DOE we took the NYCLetEmPlay students to go see the movie Selma. They learned about the importance of using civil disobedience to fight for civil rights and equality. Then, when the students actually applied King's six steps of nonviolent social change in real life, they were told they were inappropriate by the Principal and the Chair of Education Daniel Dromm... So to be clear... Missing school to watch a movie about King is OK, but missing school to protest for your civil rights is not OK."

He also suggests that Fariña is selective towards what types of protests she doesn't like. Two weeks before International students disrupted the City Council, protests against Governor Andrew Cuomo sprang up all over the city—but didn't draw a rebuke from Fariña. Cuomo, notably engaged in a war of words with the mayor as of late, drew the ire of students and teachers unhappy with the governor's test-heavy, charter-friendly education policies. "The minute the protests were about her" Garcia-Rosen notes about Fariña, "she called the principal and threatened to fire her if she allowed it to happen, initiating a fear campaign at the school to suppress the students' constitutional right to protest."

The group has used the words and imagery of the civil rights movement, putting gloved black fists in the air outside city hall, reminiscent of famous Black Power fist thrown up at the 1968 Olympics by athletes Tommie Smith and John Carlos. Their "Civil Rights Matter" chant is a blend of the old civil rights movement with a new one: Black Lives Matter. But by using terms like "separate and unequal" to describe the PSAL, they may have hit a sore spot at City Hall. The de Blasio camp has largely ignored criticism from the left, dismissing housing and policing activists critical of parallels in his policies to those of past mayors.

Ironically, the mayor may have gotten himself elected with a pre-arranged arrest protesting the closure of Brooklyn's LICH hospital on the campaign trail in 2013. Surging from fourth to first in the polls after that, de Blasio wound up the 109th mayor of New York city—the first Democratic mayor in twenty years.

Today, if you're lucky enough to live in a place like Staten Island's south shore, you're probably lucky enough to go to a high school with sports galore. A remarkable number of black and Latino high school students in New York city aren't so lucky. NYC Let 'Em Play's turn towards direct action, step five in King's non-violence strategy, instead shines light onto holdovers from the Bloomberg era, Goldstein and Douglas, who represent a PSAL that is above all else resistant to change.

It also begs the question of who can legitimately fight for the rights of students. Is it candidates who are willing to take arrests for political gains? Is it public figures like the UFT's Michael Mulgrew, who has organized direct actions on the steps of the state courthouse? Or is students themselves who see inequalities around them?

If Chancellor Fariña is wise she'll craft out a plan alongside students who, by speaking truth to power, have taught us all a thing or two.

([http://visitor.r20.constantcontact.com/manage/optin?v=001zxpjLyMMmA01Y-](http://visitor.r20.constantcontact.com/manage/optin?v=001zxpjLyMMmA01Y-WQNh7i9EoDD9yT98eRifyspiQrsE1oI_ybXOEfB2eaJPBv8TTdHqfFheLHDjugpoFn1vIB4AukcIWhKuhY8GuOQ8nefU%3D&id=preview)

[WQNh7i9EoDD9yT98eRifyspiQrsE1oI_ybXOEfB2eaJPBv8TTdHqfFheLHDjugpoFn1vIB4AukcIWhKuhY8GuOQ8nefU%3D&id=preview](http://visitor.r20.constantcontact.com/manage/optin?v=001zxpjLyMMmA01Y-WQNh7i9EoDD9yT98eRifyspiQrsE1oI_ybXOEfB2eaJPBv8TTdHqfFheLHDjugpoFn1vIB4AukcIWhKuhY8GuOQ8nefU%3D&id=preview))

Follow City Limits' other investigations. Get our free, weekly newsletter.

([http://visitor.r20.constantcontact.com/manage/optin?v=001zxpjLyMMmA01Y-](http://visitor.r20.constantcontact.com/manage/optin?v=001zxpjLyMMmA01Y-WQNh7i9EoDD9yT98eRifyspiQrsE1oI_ybXOEfB2eaJPBv8TTdHqfFheLHDjugpoFn1vIB4AukcIWhKuhY8GuOQ8nefU%3D&id=preview)

[WQNh7i9EoDD9yT98eRifyspiQrsE1oI_ybXOEfB2eaJPBv8TTdHqfFheLHDjugpoFn1vIB4AukcIWhKuhY8GuOQ8nefU%3D&id=preview](http://visitor.r20.constantcontact.com/manage/optin?v=001zxpjLyMMmA01Y-WQNh7i9EoDD9yT98eRifyspiQrsE1oI_ybXOEfB2eaJPBv8TTdHqfFheLHDjugpoFn1vIB4AukcIWhKuhY8GuOQ8nefU%3D&id=preview))